

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

**BECKLEY DIVISION**

**UNITED STATES OF AMERICA**

**v.**

**DONALD L. BLANKENSHIP**

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**Criminal No. 5: 14-0244**

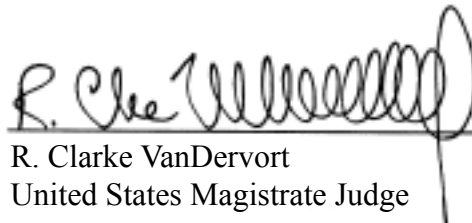
**ORDER**

Defendant has filed a Motion to the District Judge to Amend the Conditions of his Release Pending Sentencing. (Document No. 541.) Defendant requests now that trial in this matter is concluded that the conditions of his release be modified to remove the residency, travel and personal contact restrictions and to reduce the monetary amount of his appearance bond to \$250,000. Defendant has also filed a Motion to the District Judge for Permission to Travel Home for Christmas and New Years. (Document No. 542.) By this Motion, Defendant requests that the Court authorize him “to travel home to Nevada, from December 19, 2015, through January 5, 2016, to spend the Christmas and New Year’s holidays with his fiancée and members of their families.” The District Court has referred these two Motions to the undersigned. (Document Nos. 543 and 544.) The latter Motion requires prompt attention. Many of the facts and circumstances which the undersigned considered in fashioning terms and condition of Defendant’s release and ruling upon his Motions to modify them pretrial are eliminated from consideration now as a consequence of the Jury’s verdict adjudging Defendant guilty of a misdemeanor offense and acquitting him of the charged felony offenses. While the undersigned will require the United States’ response to Defendant’s Motion to Amend the Conditions of Release Pending Sentencing (Document No. 541.), the undersigned can conclude at this point in view of the changed circumstances, the District Court’s allowance of Defendant’s release pending sentencing and Defendant’s full compliance with the terms and

conditions of his pretrial release, that there is little if any likelihood that Defendant will feel motivated to flee in avoidance of further Court proceedings and relaxing the terms and conditions of his pretrial release is therefore generally appropriate. Defendant's Motion for Permission to Travel Home for Christmas and New Years (Document No. 542.), requesting as it does a lifting of the restriction against travel for a period of approximately seventeen days, should therefore be granted. It is therefore hereby **ORDERED** that Defendant's Motion for Permission to Travel Home for Christmas and New Years (Document No. 542.) is **GRANTED**. Defendant is authorized to travel to and remain in Nevada to spend time with his family from Saturday, December 19, 2015, to Tuesday, January 5, 2016. Prior to leaving, Defendant shall inform his supervising Probation Officer of his travel arrangements and the address where he will be staying in Nevada. Defendant shall further remain available to contact by his supervising probation officer by telephone and electronically while he is traveling to and from and in Nevada. Additionally, as was required when the undersigned authorized Defendant to travel to Nevada in November, 2014, Defendant shall not participate directly or indirectly in gambling activities while in Nevada. (See Document No. 38, p. 13.) It is further **ORDERED** that the United States shall file a Response to Defendant's Motion to Amend the Conditions of his Release Pending Sentencing (Document No. 541.) by Wednesday, December 16, 2015. Defendant may then file a Reply by Friday, December 18, 2015.

The Clerk is directed to transmit a copy of this Order to counsel of record.

ENTER: December 10, 2015.



R. Clarke VanDervort  
United States Magistrate Judge